

Before the Board of Zoning Adjustment, D. C.

Application No. 11929 of Jerro Shaw pursuant to Section 8207.1 of the Zoning Regulations for a variance from the rear yard requirements of Section 3304.1 of the Regulations to permit the construction of a two (2) story addition to a dwelling, as provided by Section 8207.11 of the Regulations at the premises 2013 - 32nd Place, S. E., Lot 91, Square 5655.

HEARING DATE: June 18, 1975 and August 20, 1975

DECISION DATE: September 5, 1975

FINDINGS OF FACT:

1. The above application was originally heard on June 18, 1975, however, the Board ordered a rehearing because the applicant failed to submit an accurate list of the names and addresses of owners of property abutting the subject property.

2. The subject property is located in the R-1-B Zone district which requires a twenty-five (25) foot rear yard.

3. The applicant proposes to construct an addition to the rear of his existing house. The addition would extend 11' from the rear of the house into his present rear yard of 30', which would create a 19' rear yard, 6 feet short of the required 25 feet,

4. The applicant testified at public hearing that the addition is necessary because of his growing family who need more space.

5. The existing dwelling is semi-detached, with two 11' side yards and a 30' feet rear yard.

6. The applicant's family is composed of five members including himself.

7. The existing house contains two bedrooms and two bathrooms.

8. The proposed addition would be used as two bedrooms.

9. The proposed addition would extend 11 feet towards the rear of the subject property from the level of the second floor joists, and be supported by piers or stilts. The area beneath the second floor joists would remain a part of the applicant's rear yard.

10. Letter of record indicates that the abutting property owners and neighbors object to the proposed addition on the basis that the proposed addition will block sunlight and air from their back yards, and have a detrimental affect on the value of their property,

11. The opposing neighbors were not at public hearing or subject to cross examination of the Board or the applicant,

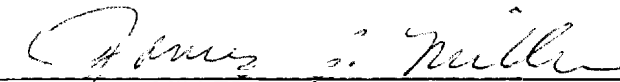
CONCLUSIONS OF LAW:

Based upon the above findings, and the record, the Board is of the opinion that the applicant has demonstrated the existence of a practical difficulty in attempting to make a reasonable and beneficial use of his property, when such use will not be to the detriment of the public good or impair the meaning and intent of the Regulations and Map.

Accordingly, the Board concludes that the applicant has complied with Section 8207.11 of the Regulations to support his requested relief from strict application of the Regulations.

ORDERED: That the above application be GRANTED.

ATTESTED:



JAMES E. MILLER,
Secretary to the Board

FINAL DATE OF ORDER:

Dec. 8, 1975

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.